

CONSENT

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:17-cv-10789-JGD**

Johnson v. CIA
Assigned to: Magistrate Judge Judith G. Dein
Cause: 05:552 Freedom of Information Act

Date Filed: 05/04/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**AMANDA JOHNSON**

represented by **Andrew F. Sellars**
Boston University School of Law
Technology Law Clinic
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Central Intelligence Agency**

represented by **Anita Johnson**
United States Attorney's Office
John Joseph Moakley Federal Courthouse
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/2017	<u>1</u>	COMPLAINT against All Defendants Filing fee: \$ 400, receipt number 0101-6613041 (Fee Status: Filing Fee paid), filed by AMANDA JOHNSON. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Civil Cover Sheet Civil Cover Sheet, # <u>6</u> Civil Cover Sheet Category Form)(Sellars, Andrew) (Entered: 05/04/2017)
05/04/2017	2	ELECTRONIC NOTICE of Case Assignment. Judge George A. OToole, Jr assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Judith G. Dein. (Abaid, Kimberly) (Entered: 05/04/2017)
05/04/2017	<u>3</u>	Summons Issued as to Central Intelligence Agency. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Abaid, Kimberly) (Entered: 05/04/2017)
05/24/2017	<u>4</u>	AFFIDAVIT OF SERVICE Executed by AMANDA JOHNSON. Central Intelligence Agency served on 5/24/2017, answer due 6/14/2017. Acknowledgement filed by AMANDA JOHNSON. (Sellars, Andrew) (Entered: 05/24/2017)
05/30/2017	<u>5</u>	NOTICE of Appearance by Anita Johnson on behalf of Central Intelligence Agency (Johnson, Anita) (Entered: 05/30/2017)

06/23/2017	<u>6</u>	Assented to MOTION for Extension of Time to 7/24/2017 to File Answer by Central Intelligence Agency.(Johnson, Anita) (Entered: 06/23/2017)
06/27/2017	7	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>6</u> Motion for Extension of Time to Answer re <u>1</u> Complaint, Central Intelligence Agency answer due 7/24/2017. (Halley, Taylor) (Entered: 06/27/2017)
07/21/2017	<u>8</u>	ANSWER to Complaint by Central Intelligence Agency.(Johnson, Anita) (Entered: 07/21/2017)
08/01/2017	9	NOTICE of Scheduling Conference Scheduling Conference set for 9/18/2017 02:00 PM in Courtroom 22 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly.(Lyness, Paul) (Entered: 08/01/2017)
08/29/2017	<u>10</u>	Proposed Document(s) submitted by Central Intelligence Agency. Document received: Proposed Schedule of the Case. (Johnson, Anita) (Entered: 08/29/2017)
09/13/2017	<u>11</u>	CONSENT by all parties to Jurisdiction by US Magistrate Judge by AMANDA JOHNSON.. (Sellars, Andrew) (Entered: 09/13/2017)
09/14/2017	12	ELECTRONIC NOTICE of Case Reassignment. Magistrate Judge Judith G. Dein assigned to case. (admnin,) (Entered: 09/14/2017)
09/15/2017	13	NOTICE RESETTING HEARING. The Scheduling Conference scheduled for 9/18/2017 is reset for 02:30 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 09/15/2017)
09/18/2017	14	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Scheduling Conference held on 9/18/2017. case called; Counsel report case type and scope of discovery required. USMJ Dein sets 11/3/17 for joint status report due. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Sellars and Johnson) (Quinn, Thomas) (Entered: 09/18/2017)
09/19/2017	15	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: The parties shall file a joint status report by 11/3/17. Should the parties require a pleading schedule, they shall propose one in the joint status report due 11/3/17. (Dambrosio, Jolyne) (Entered: 09/19/2017)
10/06/2017	<u>16</u>	Joint MOTION to Modify Scheduling Order by AMANDA JOHNSON.(Sellars, Andrew) (Entered: 10/06/2017)
10/10/2017	17	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>16</u> Joint Motion to Modify Scheduling Order. (Dambrosio, Jolyne) (Entered: 10/10/2017)
10/10/2017	18	Magistrate Judge Judith G. Dein: ORDER entered. SCHEDULING ORDER: As agreed, Defendant will respond to Plaintiff's FOIA request, delivering all responsive records by October 20, 2017, at 5pm EDT. If Defendant denies production of any responsive documents, Defendant will at that time include a cover letter or declaration to identify the number of documents denied and the applicable exemptions. Defendant will mark redactions in produced documents with the FOIA exemption number that Defendant regards as applicable. The parties shall file a joint status report by 11/3/17. Should the parties require a pleading schedule, they shall propose one in the joint status report due 11/3/17. (Dambrosio, Jolyne) (Entered: 10/10/2017)
11/02/2017	<u>19</u>	STATUS REPORT (<i>Joint</i>) by AMANDA JOHNSON. (Sellars, Andrew) (Entered: 11/02/2017)
11/07/2017	20	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered. Having reviewed the parties' Joint Status Report (Docket No. 19), it is hereby ORDERED as follows. This case will proceed by way of summary judgment motions. The defendant is cautioned, however, that detailed affidavits will be required, including affidavits that squarely address plaintiff's claims that the agency possesses the information sought and that the search was inadequate. <i>See Hall v. CIA</i> , __ F.3d __, No. 04-cv-814, 2017 WL 3328149, at *9 (D.D.C. Aug. 9, 2017); <i>Moffat v. DOJ</i> , No. 09-cv-12067-DJC, 2011 WL 3475440, at *6 (D. Mass. Aug. 5, 2011). The defendant shall file its motion for summary judgment by January 15, 2018. The plaintiff shall file her pleading by

		February 15, 2018. (Dambrosio, Jolyne) (Entered: 11/07/2017)
01/11/2018	<u>21</u>	Assented to MOTION for Extension of Time to 1/23/2018 to File <i>motion for summary judgment</i> by Central Intelligence Agency.(Johnson, Anita) (Entered: 01/11/2018)
01/12/2018	22	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>21</u> Motion for Extension of Time to File. Defendant's motion for summary judgment shall be filed by January 23, 2018. (Dein, Judith) (Entered: 01/12/2018)
01/23/2018	<u>23</u>	MOTION for Summary Judgment by Central Intelligence Agency.(Johnson, Anita) (Entered: 01/23/2018)
01/23/2018	<u>24</u>	MEMORANDUM in Support re <u>23</u> MOTION for Summary Judgment filed by Central Intelligence Agency. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Johnson, Anita) (Entered: 01/23/2018)
02/07/2018	<u>25</u>	Assented to MOTION for Extension of Time to 2/23/2018 to File Response to Defendant's Motion for Summary Judgment by AMANDA JOHNSON.(Sellars, Andrew) (Entered: 02/07/2018)
02/08/2018	26	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>25</u> Plaintiff's Assented to Motion for Extension of Time to 2/23/18 to respond to <u>23</u> Defendant's Motion for Summary Judgment. (Dambrosio, Jolyne) (Entered: 02/08/2018)
02/23/2018	<u>27</u>	Opposition re <u>23</u> MOTION for Summary Judgment filed by AMANDA JOHNSON. (Sellars, Andrew) (Entered: 02/23/2018)
02/23/2018	<u>28</u>	MEMORANDUM in Opposition re <u>23</u> MOTION for Summary Judgment filed by AMANDA JOHNSON. (Attachments: # <u>1</u> Affidavit Andrew F. Sellars, # <u>2</u> Exhibit Ex. A, # <u>3</u> Exhibit Ex. B, # <u>4</u> Exhibit Ex. C, # <u>5</u> Exhibit Ex. D, # <u>6</u> Exhibit Ex. E, # <u>7</u> Exhibit Ex. F, # <u>8</u> Exhibit Ex. G, # <u>9</u> Exhibit Ex. H, # <u>10</u> Exhibit Ex. I, # <u>11</u> Exhibit Ex. J, # <u>12</u> Exhibit Ex. K, # <u>13</u> Exhibit Ex. L, # <u>14</u> Exhibit Ex. M, # <u>15</u> Exhibit Ex. N, # <u>16</u> Exhibit Ex. O, # <u>17</u> Exhibit Ex. P, # <u>18</u> Exhibit Ex. Q)(Sellars, Andrew) (Entered: 02/23/2018)
02/26/2018	29	ELECTRONIC NOTICE issued requesting courtesy copy of <u>28</u> Plaintiff's Memorandum in Opposition to Motion for Summary Judgment. Counsel who filed this document is requested to submit a courtesy copy to Magistrate Judge Dein by 3/5/18. The document must be clearly marked as a Courtesy Copy, reflect the document number assigned by CM/ECF, and the exhibits must be tabbed. (Dambrosio, Jolyne) (Entered: 02/26/2018)
03/02/2018	30	ELECTRONIC NOTICE SETTING HEARING on <u>23</u> Defendant's MOTION for Summary Judgment: Motion Hearing set for 3/19/2018 03:00 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 03/02/2018)
03/05/2018	<u>31</u>	Assented to MOTION for Extension of Time to 4/23/2018 to File Response/Reply as to <u>28</u> Memorandum in Opposition to Motion., by Central Intelligence Agency.(Johnson, Anita) (Entered: 03/05/2018)
03/05/2018	<u>32</u>	Assented to MOTION for Extension of Time to 3/23/2018 to File Response/Reply as to <u>28</u> Memorandum in Opposition to Motion., <i>Corrected</i> by Central Intelligence Agency.(Johnson, Anita) (Entered: 03/05/2018)
03/09/2018	33	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered finding as moot <u>31</u> Defendant's Motion for Extension of Time, and granting <u>32</u> Defendant's Corrected Motion for Extension of Time to 3/23/18 to File Reply re <u>23</u> MOTION for Summary Judgment. (Dambrosio, Jolyne) (Entered: 03/09/2018)
03/09/2018	34	ELECTRONIC NOTICE RESETTING HEARING on <u>23</u> Defendant's MOTION for Summary Judgment: Motion Hearing reset for 4/11/2018 03:00 PM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 03/09/2018)
03/22/2018	<u>35</u>	Assented to MOTION for Extension of Time to 3/27/2018 to File Response/Reply by Central Intelligence Agency.(Johnson, Anita) (Entered: 03/22/2018)
03/23/2018	36	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>35</u> Defendant's Assented to Motion for Extension of Time to 3/27/18 to File Reply re <u>23</u>

		MOTION for Summary Judgment. (Dambrosio, Jolyne) (Entered: 03/23/2018)
03/27/2018	<u>37</u>	REPLY to Response to <u>31</u> Assented to MOTION for Extension of Time to 4/23/2018 to File Response/Reply as to <u>28</u> Memorandum in Opposition to Motion,, filed by Central Intelligence Agency. (Attachments: # <u>1</u> Exhibit)(Johnson, Anita) (Entered: 03/27/2018)
04/03/2018	<u>38</u>	MOTION for Limited Admission Pursuant to Student Practice Rule by AMANDA JOHNSON.(Sellars, Andrew) (Entered: 04/03/2018)
04/09/2018	39	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>38</u> Motion for Limited Admission Pursuant to Student Practice Rule. (Dambrosio, Jolyne) (Entered: 04/09/2018)
04/09/2018	<u>40</u>	Magistrate Judge Judith G. Dein: ORDER of Temporary Admission re Audra Sawyer entered. (Dambrosio, Jolyne) (Entered: 04/09/2018)
04/10/2018	41	ELECTRONIC NOTICE RESETTING HEARING (<i>TIME ONLY</i>) on <u>23</u> Defendant's MOTION for Summary Judgment: Motion Hearing reset for 4:30 PM on 4/11/2018 in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 04/10/2018)
04/11/2018	42	Electronic Clerk's Notes for proceedings held before Magistrate Judge Judith G. Dein: Motion Hearing held on 4/11/2018 re <u>23</u> MOTION for Summary Judgment filed by Central Intelligence Agency. case called; USMJ Dein hears arguments from counsel and takes motion under advisement. (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate-Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov .(Attorneys present: Law Student Audra Sawyer with Andrew F. Sellars and AUSA Johnson) (Quinn, Thomas) Modified on 5/1/2018 (Quinn, Thomas). (Entered: 05/01/2018)
05/08/2018	<u>43</u>	Transcript of Motion Hearing held on April 11, 2017, before Magistrate Judge Judith G. Dein. The Transcript may be purchased through Maryann Young at youngtrans2@gmail.com , viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: No Reporter Used. Digital Recording transcribed by Maryann Young. Redaction Request due 5/29/2018. Redacted Transcript Deadline set for 6/8/2018. Release of Transcript Restriction set for 8/6/2018. (Scalfani, Deborah) (Entered: 05/08/2018)
05/08/2018	44	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 05/08/2018)
05/25/2018	<u>45</u>	REPLY to Response to <u>23</u> MOTION for Summary Judgment filed by Central Intelligence Agency. (Johnson, Anita) (Entered: 05/25/2018)
05/29/2018	<u>46</u>	Assented to MOTION for Leave to File <i>Response to Defendant's Supplemental Filing</i> by AMANDA JOHNSON.(Sellars, Andrew) (Entered: 05/29/2018)
05/30/2018	47	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>46</u> Motion for Leave to File Response to Defendant's Supplemental Filing ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Caruso, Stephanie) (Entered: 05/30/2018)
06/07/2018	<u>48</u>	SUR-REPLY to Motion re <u>23</u> MOTION for Summary Judgment <i>Response to Defendant's Supplemental Filing</i> filed by AMANDA JOHNSON. (Sellars, Andrew) (Entered: 06/07/2018)
06/20/2018	<u>49</u>	MOTION for Leave to File <i>Sur-Response, Unopposed</i> by Central Intelligence Agency.(Johnson, Anita) (Entered: 06/20/2018)

06/21/2018	50	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>49</u> Defendant's Motion for Leave to File Short Sur-Response. Counsel should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Dambrosio, Jolyne) (Entered: 06/21/2018)
06/28/2018	<u>51</u>	REPLY to Response to <u>46</u> Assented to MOTION for Leave to File <i>Response to Defendant's Supplemental Filing</i> filed by Central Intelligence Agency. (Johnson, Anita) (Entered: 06/28/2018)
09/17/2018	<u>52</u>	Magistrate Judge Judith G. Dein: ORDER entered. MEMORANDUM OF DECISION AND ORDER denying <u>23</u> Defendant's Motion for Summary Judgment. (Dambrosio, Jolyne) (Entered: 09/17/2018)
09/17/2018	53	SET DEADLINES: Joint Status Report due by 10/9/2018. (Dambrosio, Jolyne) (Entered: 09/17/2018)
10/09/2018	<u>54</u>	STATUS REPORT (<i>Joint</i>) by AMANDA JOHNSON. (Sellars, Andrew) (Entered: 10/09/2018)
10/12/2018	55	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered adopting the schedule contained in the parties' <u>54</u> Joint Status Report. The parties will file a further Joint Status Report by 2/11/2019. (Dambrosio, Jolyne) (Entered: 10/12/2018)
02/08/2019	<u>56</u>	Joint MOTION to Modify Scheduling Order by AMANDA JOHNSON.(Sellars, Andrew) (Entered: 02/08/2019)
02/11/2019	57	Magistrate Judge Judith G. Dein: ELECTRONIC ORDER entered granting <u>56</u> Joint Motion to Modify Scheduling Order. Joint Status Report due 3/29/2019. (Dambrosio, Jolyne) (Entered: 02/11/2019)